

FRIDAY, November 30th, 1855.

The Senate was called to order by the President pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The Journal of Wednesday was read and adopted.

Mr Guinn, chairman of the committee on engrossed bills, reported the following bills correctly engrossed, viz:

A bill to incorporate the town of Chappel Hill.

A bill to create the county of Cammanche.

A bill for the relief of Alfred H. Wiley.

A bill to create the county of Erath.

A bill supplementary to an "act to establish and incorporate the College of DeKalb," approved 26th January 1839.

A bill to prevent the carrying of concealed weapons.

A bill to prevent hunting by fire-light, and

A bill for the relief of Joseph Luce and David Luce, and the heirs of John Luce, and the heirs of Abb Luce, sr., and the heirs of Abb Luce, jr.

Mr Martin presented the memorial of the Texas Central Rail Road Company; referred to the committee on Internal Improvements.

Mr Hill presented the petition of the members of the county Court of Fayette county, for a modification of the school law; referred to the committee on education.

Mr Hill also presented the memorial of the Trustees of the "Texas Orphan Asylum"—referred to the committee on Finance.

Mr Potter presented the memorial of Memucan Hunt; referred to the committee on Public debt.

Mr Burroughs presented the petition of Abel Adams, R. C. Doom and F. Wm. Eddy, administrators of the estate of S. H. Everett; referred to the committee on private land claims.

Mr McCulloch presented the petition of C. R. Perry; referred to the committee on private land claims.

Mr Potter, chairman of the committee on the Judiciary, to which were referred a bill to change the time of holding the District Courts in the 10th and 14th Judicial Districts, and a bill to authorize William D. Dillon to practice law, reported the same back and recommended their passage.

Mr Potter, from the same committee, to which were referred a bill to regulate the time of holding the Courts in the sixth Ju-

dicial District, and a bill to legalize certain surveys lying between the counties of Bastrop and Burleson, reported substitute therefor, and recommended their adoption and passage.

Mr Potter, from the same committee, reported back a bill to create the 17th Judicial District of the State of Texas, and to define the time of holding the District Courts therein, and recommended its passage after amending it by striking out the 5th and 9th sections.

Mr Potter also made the following reports :

The Judiciary committee have examined a Joint Resolution proposing to amend the 3rd section of the 10th Article of the Constitution, so as to give the Legislature control over the lands which have been or may be granted to the counties for school purposes, and find that there is now pending before the Senate a like proposition, which has been recommended by the committee. The committee therefore direct me to return the joint resolution to the Senate, and recommend that it be laid upon the table.

The Judiciary committee have considered a bill to authorize the District Courts of the State to hear and determine claims and accounts against the State, and a majority of the committee are of the opinion that the bill proposed would open the Courts to the adjudication and allowance of a class of claims which have not, at any time in our history, been considered as valid claims against the State, nor have they, as your committee believe, ever been looked upon with favor or allowed by any other Government. It may be true that some of the claims intended to be acted upon under the provisions of the bill, are meritorious, but the committee are of the opinion that the District Courts are not the proper tribunals for the adjudication of such claims. The committee therefore, direct me to return the bill to the Senate and recommend that it be laid upon the table.

Mr Superviele, from the committee on counties and county boundaries, to which was referred a bill to define the limits of Bexar county, reported the same back and recommended its passage.

On motion of Mr McCulloch, Mr Hord was excused from attendance on account of sickness.

Mr Grimes, chairman of the committee on Finance, to which was referred a bill relating to the duties of Assessors and Collectors of taxes, reported the same back and recommended its passage.

Mr Grimes made the following report:

The committee on Finance, to which was referred the petition of Ira B. Dement, praying for relief, have examined the evidence, from which it appears that petitioner served in the Army of Texas as Armorer and blacksmith, from the 5th day of October 1835, until the 12th day of March 1836,—that he found his own shop and tools, and paid his own board during the said time. These facts being proved to the satisfaction of your committee, and their being no showing of records that Mr Dement has ever received any pay, your committee submit the accompanying bill for his relief and recommend its passage.

A bill for the relief of Ira B. Dement; read first time.

Mr Grimes, chairman of the committee on Finance, to which was referred the petition of John T. Dillard, reported the following bill and recommended its passage:

A bill to restore land sold for taxes and purchased by the State, to the former owners, upon certain conditions; read first time.

Mr Millican, chairman of the committee on roads, bridges and ferries, to which were referred a bill authorizing Glover Wells to construct a bridge across the East Fork of Trinity river, and a bill authorizing William M. Lee and others, to construct a bridge across the East Fork of Trinity, at or near Lee's Ferry; reported the same back and recommended their passage.

Mr Millican, from the same committee, to which was referred a bill supplementary to an act entitled an act authorizing and requiring the county Courts to regulate roads, appoint overseers, &c, reported the same back and recommended its passage, after amending it by striking out the second section.

Mr Guinn, from the committee on the Judiciary, to which was referred a bill to change the name of Martha R. Eppinger, to Martha R. Bonner, reported the same back and recommended its passage.

Mr Martin, from the committee on State affairs, to which was referred a bill to incorporate the city of Marshall, reported the same back and recommended its passage.

Mr Flanagan, chairman of the committee on Internal Improvements, to which was referred a bill to incorporate the Iron, Steel and Copper Manufacturing, Mining and trading Company, reported the same back and recommended its passage.

Mr Flanagan also made the following report:

The committee on Internal Improvements, have had before them a bill to repeal an act entitled an act to provide for the construction of the Mississippi and Pacific Rail Road, and a

majority of the committee instruct me to report the same back and recommend its passage, for the following reasons:

The said bill reserved a large and valuable portion of the public domain lying directly in the heart of the State, running across the same from East to West. Your committee find that settlers are now occupying this territory in violation of law, and he who has his own Headright or a donation warrant for having fought the battles of his country, at San Jacinto, or elsewhere, cannot locate on the same, and that there is legislation now sought to approve the settlement of the occupants to the exclusion of the locator. This your committee look upon as unjust, and seems to be a bid for illegal and immoral acts upon the part of the settler; and all must know that course of policy will ultimately lead to confusion and much legislation, in passing acts from time to time, giving to the occupant his settlement, as has been the course of legislation from the earliest period of Texas. Again, your committee are of the opinion that this is the proper time to repeal said charter, in as much as there are no vested rights having accrued to any company—no deposit having been made as contemplated by the act. Your committee further state that they are, each and all of them, very anxious to have such a road built, and when a responsible company shall ask a charter for that grand purpose, it is believed and hoped it will be instantly granted. All of which is most respectfully submitted.

Mr Taylor of Cass, chairman of the committee on public debt, to which was referred the petition of Wm. Cravens, Wm. M. Hewitt, sr, and Mercer Fane, reported the same back and asked to be discharged from the further consideration of the same.

Mr Scott, chairman of the committee on Public Lands, to which was referred a bill to confirm titles in the colonies of Austin and DeWitt, reported a substitute for the same and recommended its adoption and passage.

Mr Scott also made the following report:

The committee on Public Lands, to which was referred a bill creating the county of Parker, have had the same under consideration and recommend the following amendments, and the adoption of the same, and the passage of the bill: 1st amendment—Strike out the name "Lovejoy," in the last line of third section of the bill, and insert the name "Weatherford." 2nd amendment—Strike out the words "Be it further enacted," wherever they occur in the bill.

A message was received from the House informing the Senate that the House had passed a bill supplementary to an Act

entitled "an Act to incorporate the town of LaGrange in the county of Fayette;" and joint resolution relating to the votes of Senators Rusk and Houston on the Kansas-Nebraska Act—originating in the House.

Mr Taylor, of Houston, introduced a bill for the relief of S A Miller, assignee of David Speers; read first time.

Mr Scott introduced a bill to amend the 1st section of an Act to provide for the appointment of patrols, and to prescribe their duties and powers; read first time.

Mr Grimes introduced a joint resolution proposing amendments to the Constitution; read first time.

Mr White introduced a joint resolution relative to the adjournment of the Legislature until the 1st day of June, 1856,

Mr Superviele introduced a bill to create the county of Atascosa; read first time.

Mr McCulloch introduced a bill for the relief of James M Day; and a bill for the relief of Simon Cockrill, John Neill and Creed Taylor—each read first time.

Mr Maverick introduced a bill for the relief of the heirs of Benjamin R Milam—read first time.

On motion of Mr Maverick, the rule was suspended—bill read second time, and referred to a select committee.

Messrs Maverick, Taylor, of Cass, and Caldwell, were appointed said committee.

Mr Russell introduced a bill for the relief of Henry Stont—read first time.

Mr Truit introduced a bill for the relief of Mercer Fain and William M Hewitt—read first time.

Mr Hill offered the following resolution: "*Resolved*, that the committee on Internal Improvements be, and they are hereby instructed, to enquire into the expediency and propriety of creating the office of State Engineer, and of making the same a permanent office of this State, and that they report by bill, or otherwise"—adopted.

ORDERS OF THE DAY.

On motion of Mr Taylor, of Fannin, a bill to create the county of Wise, was taken from the table and read.

On motion of Mr Allen the bill was amended by striking out "Wiseville" and inserting "Taylorville"—the bill was then ordered to be engrossed.

The motion to reconsider the vote which refused to engross a bill for the relief of the heirs and assigns of Thomas Williams, was then taken from the table—vote reconsidered, and bill ordered to be engrossed.

A bill for the protection of the western frontier, together with the report of joint select committee, offering a substitute therefor, was, on motion of Mr Caldwell, made the special order of the day for Wednesday next.

THE MOTION TO REJECT.

A bill to establish a code of civil procedure for the State of Texas, was on motion of Mr Taylor, of Cass, made the special order of the day, for Tuesday next.

A bill to prevent hunting by fire-light—read third time.

Mr Martin offered the following amendment: "Provided, that the frontier counties shall be exempt from the provisions of this bill."

On motion of Mr Taylor, of Fannin, the amendment was laid on the table.

Mr Martin offered the following amendment, add to 2d section: "or in going to and from his enclosure."

On motion of Mr Taylor of Fannin, the amendment was laid on the table.

The bill was then passed by the following vote:

YEAS—Messrs Bryan, Caldwell, Doane, Flanagan, Grimes, Guinn, Hill, McCulloch, McDade, Maverick, Millican, Potter, Russell, Scott, Superviele, Taylor, of Cass, Taylor of Fannin, Taylor of Houston, Weatherford, Whitaker, White and Wren, 22. NAYS—Messrs Allen, Burroughs, Lott, Martin, Pirkey, Scarborough and Truit 7.

A bill supplementary to "an act to establish, and incorporate the College of Dekalb," approved 26th, Jany., 1839—read third time, and passed by the following vote:

YEAS—Messrs Allen, Bryan, Caldwell, Doane, Flanagan, Grimes, Guinn, Hill, Lott, McCulloch, McDade, Martin, Pirkey, Potter, Russell, Scarborough, Scott, Taylor, of Cass, Whitaker and White, 20. NAYS—Messrs Burroughs, Maverick, Millican, Superviele, Taylor, of Fannin, Taylor, of Houston, Truit and Wren 8.

The following bills were severally read a third time, and passed—viz: A bill to prevent the carrying concealed weapons.

A bill for the relief of Joseph Luce and David Luce, and the heirs of John Luce, and the heirs of Abel Luce, sr., and the heirs of Abel Luce, jr.

A bill to create the county of Erath.

A bill to create the county of Commanche.

A bill for the relief of Alfred H Wiley, and

A bill to incorporate the town of Chappel Hill.

A bill to secure the right of redemption in lands sold under

der execution—read, and on motion of Mr White, referred to the committee on the judiciary.

A bill to provide for the investigation of land titles in certain counties—read, and on motion of Mr Potter, made the order of the day, for Tuesday next, at 11 o'clock.

A bill for the relief of Francis M Campbell—read second time, and on motion of Mr Scarborough, referred to the committee on the judiciary.

A bill explanatory of the 14th section of "an act to provide for the construction of the Mississippi and Pacific Railroad, approved, Dec. 21st, 1853—read second time, and on motion of Mr Taylor, of Cass, referred to the committee on public lands.

A bill to re-organize the eighth judicial district, and define the times of holding the district court therein—read second time, and on motion of Mr Pirkey, referred to the committee on the judiciary.

House bill, authorizing the judge of the third judicial district to hold a term of said court, in Corryelle county, on the 14th Monday after the 1st Monday in September, 1855—read second time, and on motion of Mr McDade, referred to the committee on judicial districts.

House bill to incorporate the town of Cameron, in the county of Milam—read second time, and on motion of Mr Taylor, of Cass, referred to the committee on counties, and county boundaries.

House bill to make valid surveys, made by the county surveyor of Vanzandt county—read second time, and passed to a third reading.

House bill to legalize the creation of Vanzandt county—read second time, and passed to a third reading.

The report of the committee on private land claims, on a bill for the relief of Gideon G Williams—read, and on motion of Mr Bryant, the report and bill were laid on the table.

The report of the committee on private land claims, on the petition of Isabella Wingate—read, and on motion of Mr Martin, referred to the committee on the judiciary.

The report of the committee on private land claims, on a bill for the relief of George R Rains, recommending the refusal of the prayer of the petitioner, was read and adopted.

The report of the committee on private land claims on the petition of Rosanna Ripley, recommending that the relief sought be not granted, was read and adopted.

A bill for the relief of John B Johnson—read, and ordered to be engrossed,

A bill for the relief of Radford Berry—read and ordered to be engrossed.

A bill changing a portion of the boundary of the counties of Calhoun, Victoria and Refugio—read and ordered to be engrossed.

A bill to amend the 6th section of an act to incorporate the towns of Victoria, Goliad and Gonzales—read and ordered to be engrossed.

A bill prohibiting the commissioner of the general land office issuing patents to the Texian emigration, and land company, for lands lying in Peters' colony—read, and on motion of Mr Martin, moved the special order of the day, for Monday next.

The report of the committee on the judiciary, on a bill to create the 16th judiciary district—read, and on motion of Mr Martin, made the special order of the day, for Wednesday, the 5th December.

The report of the committee on the judiciary, offering a substitute for two bills, relative to the acts of deputy clerks, was read, substitute adopted, and bill ordered to be engrossed.

A bill to authorize the county court of Dallas county to levy an additional tax, for the purpose of building a court house—read and ordered to be engrossed.

A bill to protect actual settlers—read second time, and on motion of Mr Flanagan, referred to the committee on private land claims.

A bill to incorporate the Harrison manufacturing company—read second time, and on motion, of Mr Scott, referred to the committee on state affairs.

A bill to prescribe the time of meeting of the Legislature—read second time, and on motion of Mr Guinn, referred to the committee on state affairs.

A bill for the relief of the heirs, and legal representatives of Dawson B Charlton decd—read second time, and on motion of Mr Whitaker, referred to the committee on private land claims.

A bill for the relief of George S Bledsoe—read second time and ordered to be engrossed.

A bill for the relief of Geo W Grover—read, and ordered to be engrossed.

A bill for the relief of the heirs of John F Chairs—read and ordered to be engrossed.

On motion of Mr Taylor, of Houston, Mr McCulloch was excused from attendance on the Senate, until Wednesday next.

On motion of Mr Taylor, of Cass, the Senate adjourned until 9 o'clock to-morrow morning.